

THE PROPERTY MANAGEMENT )  
CONNECTION, LLC, et al., )  
) )  
Plaintiffs, )  
) )  
v. ) Case No.: 3:21-cv-00359 )  
) JUDGE RICHARDSON )  
CONSUMER FINANCIAL ) MAGISTRATE JUDGE NEWBERN )  
PROTECTION BUREAU, et al., )  
) )  
Defendants. )

Defendants submit this Notice to inform the Court of a recent development that is potentially relevant to this Court's adjudication of Defendants' motion to enlarge time to respond to the Amended Complaint. Specifically, Defendants' motion noted that a matter then-pending before the Supreme Court could render inoperative an Order of the Centers for Disease Control and Prevention (CDC) that is relevant to this litigation. (*See* D.E. 43, ¶¶ 5-6.) In a recent order, the Supreme Court adjudicated that matter and vacated the CDC Order.

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petitioners asked the Supreme Court to vacate a lower-court stay of a judgment holding invalid the CDC's eviction moratorium. On August 26, the Court granted that request, and vacated the August Order. *Alabama Ass'n of Realtors*, --- S. Ct. ---, No. 21A23, 2021 WL 3783142 (S. Ct. Aug. 26, 2021) (vacating the August Order nationwide pending appeal).

As this Court has recognized, the Bureau's Rule compels nothing at all in jurisdictions where the CDC Order does not apply. (*See* D.E. 23: TRO Op. at 9.) Now that the CDC Order is not in effect nationwide, Plaintiffs will in no way be prejudiced if the Court grants Defendants' request for additional time to respond to the Amended Complaint. Moreover, as explained in Defendants' motion, granting Defendants' request would streamline this case. Extending the time to respond to the Amended Complaint until October 18, 2021, two weeks after the August Order is set to expire on October 3, 2021, will allow Defendants to incorporate subsequent developments with respect to the August Order in their responses to the Amended Complaint and avoid the need to burden the Court with piecemeal briefing on these developments.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2021, a copy of the foregoing Notice was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was sent by First Class, United States mail, to:

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